THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 20862 OF 1994

DATE: 19-1-2007

Between:

Syed Moulana … Petitioner

And

1. A.P. State Electricity Board
rep. By its Member Secretary, Hyderabad
and another … Respondents

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 20862 OF 1994

ORDER:

This writ petition is filed to declare the action of the 2nd respondent in fixing the seniority of the petitioner wrongly, vide integrated provisional seniority list in Memo dated 17.6.1993 instead of maintaining seniority list separately in the cadre of Store Keeper Grade II, as arbitrary and illegal and for a consequential direction to the respondents to maintain separate seniority lists of UDC and Store Keeper Grade II from 23.6.1972 and 29.5.1973 respectively and to regularize the promotion of the petitioner as UDC and Store Keeper Grade II from 23.6.1972 and 29.5.1973.

While the petitioner claims that he was converted as Store Keeper, the respondents in their counter affidavit deny that he was converted. According to the respondents, the services of the petitioner, while working as L.D.C, were terminated. Learned Standing Counsel for the respondents would produce a letter dated 21.3.2006 wherein it is stated that the earlier order in Memo dated 30.5.1973 was never implemented and that the petitioner was continued in service as UDC. It is also stated in the counter affidavit that the writ petition is liable to be dismissed on the ground of laches in as much in the writ petition filed in the year 1994, the order of conversion dated 29.5.1973 was sought to be

implemented. The respondents would contend that the relief sought for is hopelessly belated and is liable to be dismissed on the ground of laches. I find substantial force in both these contentions.

Without going into the disputed question as to whether the petitioner was or was not converted to another cadre, as the order of conversion dated 30.5.1973 is sought to be challenged more than two decades thereafter in the year 1994 and no valid reasons are given for the inordinate delay in seeking such a relief, the writ petition is liable to be dismissed on the ground of laches and is accordingly dismissed. No costs.

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19-1-2007

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